

North Smithfield Zoning Board of Review

December 13, 2011, 7:00 pm

Kendall Dean School

83 Green St., Slatersville, RI

The Chair called the meeting to order at 7:03 pm.

1. Roll Call

Present: Chair Stephen Kearns, Bill Juhr, Guy Denizard, Paul Pasquariello, Scott Martin. Absent: Steve Scarpelli, Mario DiNunzio. Also present were Building Official Bob Benoit, Assistant Solicitor Bill Savastano, and a court stenographer from Allied Court Reporters.

2. Disclosure of no compensation or pension credits received by the board members.

3. Application of Michael Bell, requesting a dimensional variance from section 5.5: District Dimensional Regulations, subsection 5.5.1, Residential District. Locus is 96-98-102 Green Street, Plat 2, Lot 49, Zoning: RU-20.

Norbert Therien, professional land surveyor, was present for the applicant and was sworn in by the court stenographer. The following exhibits were entered into the record:

P1) Letter from the applicant (11/16/11) and Application for Hearing before the Zoning Board of Review (11/4/11)

P2) Plat map showing location of the property

P3) 200' Abutters List, prepared by Norbert Therien

P4) Zoning Variance Plan, Job No. 2011-72, October 2011

P5) Aerial photograph of property and abutting properties

P6) Assessor's Map, Plat 2

P7) Assessor's Map, Plat 1

B1) Planning Memo from Robert Ericson, AICP, Town Planner, 11/17/11

Mr. Therien stated the applicant's request for a dimensional variance. The property is currently one lot with two separate residences. The applicant wishes to subdivide the lot into two separate lots. Other than the new property line, no physical changes will be made to the lots. It will essentially exist as it has for years, but now each residence will be on its own lot. The lots will have exactly the same area. Variances are needed for area, frontage, and side setbacks. There are no other options for the property, as all conditions are pre-existing nonconforming conditions.

The driveway will be slightly widened and slightly regraded to send runoff to the back of the property instead of to the street. The curb cut will not be altered. All utilities are currently and will remain separate, and there is no need for an easement agreement. The

applicant stated that the proposed subdivision better adheres to good planning by having one structure per lot. Each lot will be typical of abutting properties. P5 shows that the property immediately to the west of this property has a similar situation, with lots made for each structure. The situation is a leftover result from the village development of the past. The Planning Board gave its unanimous approval to the request.

The Board discussed the new property line and how it will be marked. Mr. Pasquariello was strongly against any fence being put up now or in the future. Mr. Therien stated that the Planning Board suggested a painted or cobblestone demarcation.

The Chair stated that the memo from the Planning Board clearly states their support for the variance. Town Solicitor Rick Nadeau suggested a 2-unit land condominium as an alternative, but the Chair stated that this variance seems to be an easier solution.

The Chair opened the meeting to the public. Abutting property owner John Cormier of 17 Country Way stated he fully supports the request. No one was present to speak against the application.

Mr. Pasquariello made a motion to approve the application of Michael Bell, requesting a dimensional variance from section 5.5: District Dimensional Regulations, subsection 5.5.1, Residential District. Locus is 96-98-102 Green Street, Plat 2, Lot 49, Zoning: RU-20, with

the condition that no fence shall be built along the property line and the suggestion that the applicant abide by the recommendation of the Planning Board that the line be marked by cobblestone. Mr. Martin seconded the motion. Roll call vote was as follows: YES: Mr. Kearns, Mr. Juhr, Mr. Pasquariello, Mr. Denizard, Mr. Martin. Motion passed, with a vote of 5-0.

4. Application of Stephen Lagasse, requesting a Special Use Permit per section 5.4.2: Residential Uses, subsection (5), “Attached dwelling for operator or owner of a principal use.” Locus is 595 St. Paul Street, Plat 5, Lot 228, Zoning: LC “Limited Commercial”

The Chair stated that he had received a letter from the applicant’s attorney, asking for a continuation of the hearing to January 10, 2012, due to the attorney’s vacation schedule. The Chair made a motion to continue the application to January 10, 2012. Mr. Juhr seconded the motion, with all in favor.

Mr. Juhr made a motion to adjourn at 7:40 pm. Mr. Pasquariello seconded the motion, with all in favor.